

AGENDA MEMO

CITY COUNCIL MEETING DATE: MAY 16, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-20149 - APPLICANT: DIAMOND SPRINGS LLC -
OWNER: FIRST SOUTHERN BAPTIST CHURCH**

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (5-0-1/d vote) recommends APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Rezoning (ZON-20151) if approved.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 2/23/07, except as amended by conditions herein.
4. A Waiver from Title 19.10 is hereby approved, to allow one parking lot tree where four are required.
5. A revised site plan shall be submitted to and approved by the Planning and Development Department, prior to the time application is made for a building permit for signage, to reflect the changes herein:
 - A. One Monument Sign per street frontage with a maximum size of 75 square feet and maximum height of 8 feet is allowed in the "O" (Office) zoning District Title 19.14.060.
 - B. A monument sign must show a setback of five feet from all property lines.
6. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.

7. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
8. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
11. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

14. Submit an application for a deviation from Standard Drawing #222a for the driveway accessing this site from Sixth Street.
15. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.

16. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-20151 and all other applicable subsequent site-related actions.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Site Development Plan Review for a proposed 11,110 square foot office building on 0.69 acres of property located on the east side of 6th Street, 335 feet south of St. Louis Avenue.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/05/58	The Board of Commissioners for the City of Las Vegas approved a Use Permit (U-0001-58) to construct, maintain, and use a church on property located at the southeast corner of 6 th Street and St. Louis Avenue.
08/29/75	The Board of Zoning Adjustment approved a Use Permit (U-0056-75) to allow the operation of a child care nursery, a pre-school, and to conduct educational programs on property located at 700 E. St. Louis Avenue.
06/23/92	The City Council approved the reclassification of property (Z-0024-92) located at 700 East St. Louis Avenue from R-1 (Single Family Residential) zoning to C-V (Civic) zoning for the remodel and expansion of an existing church.
04/12/07	The Planning Commission recommended approval of companion items GPA-20150; ZON-20151 and VAR-20152 concurrently with this application.
	The Planning Commission voted 5-0-1/ld to recommend APPROVAL (PC Agenda Item #47/mh).
<i>Pre-Application Meeting</i>	
02/09/07	A Pre-application meeting was held with staff concerning the requirements to develop a vacant parcel associated with an existing church into an 11,100 SF professional office building. The applicant was informed of the requirements of a General Plan Amendment, a Rezoning, a Variance, and Site Development Plan Review.
<i>Neighborhood Meeting</i>	
03/14/07	A neighborhood meeting was scheduled in the First Southern Church, Fellowship Hall, 700 E. St. Louis at 5:30pm.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	0.69 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PF (Public Facilities)	C-V (Civic) Zone
North	Church	PF (Public Facilities)	C-V (Civic) Zone
South	Undeveloped	SC (Service Commercial)	R-1 (Single Family Residential) Zone
East	Single Family Homes	L (Low Density Residential)	R-1 (Single Family Residential) Zone
West	Single Family Homes	L (Low Density Residential)	R-1 (Single Family Residential) Zone

DEVELOPMENT STANDARDS

Pursuant to Title 19.08, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	NA	29,620 SF	NA
Min. Lot Width	60 feet	100 feet	Y
Min. Setbacks <ul style="list-style-type: none"> • Front • Side • Corner • Rear 	25 feet 10 feet 15 feet 15 feet	207 feet 10 feet NA 15 feet	Y Y NA Y
Max. Lot Coverage	30%	19%	Y
Max. Building Height	2 stories of 35 feet, whichever is less	35 feet	N*
Trash Enclosure	Screened & covered	Screened & covered	Y
Mech. Equipment	Screened	screened	Y

*Although this proposal meets most of the Design Standards as listed by Title 19.08, the proposal does not meet the Residential Adjacency Standards. A Variance (VAR-20152) has been requested a companion item.

Pursuant to Title 19.08.060, the following standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	114 feet	15 feet	N
Adjacent development matching setback	15 feet	15 feet	Y
Trash Enclosure	50 feet from residential	98 feet	Y

Pursuant to Title 19.12, the following standards apply:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Parking Area	1 Tree/ 6 Spaces	4 Trees	1	N
Buffer: Min. Trees	1 Tree/ 20 Linear Feet along north perimeter;	10 Trees;	26	Y
	1 Tree/ 30 Linear Feet along south, east, & west perimeters	18 Trees		
TOTAL		32 Trees	55	Y
Min. Zone Width	8 Feet		12 Feet	Y
Wall Height	6 Feet		8 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Office, Other Than Listed	11,100 SF	1:300	37	2	38	2	Y
TOTAL			37	2	38	2	Y

Monument Signs: 19.14.060		
Standards	Allowed	Provided
Maximum Number	1 sign per Street frontage	2 Street frontage signs*
Maximum Area	75 SF /sign	2 X 48 SF: 96 SF total*
Maximum Height	8 Feet	4 feet
Minimum Setback	5 Feet	3 feet*
Illumination	Direct/Internal	Not shown*

Waivers		
Request	Requirement	Staff Recommendation
To allow 1 parking lot tree	Four trees	Approval

ANALYSIS

- **Zoning/Use**

The proposed office use is an appropriate for the area. However, as the requested General Plan Amendment to the O (Office) land use category and “O” (Office) Rezoning would constitute Spot Zoning, staff has recommended denial. A General Plan Amendment to SC (Service Commercial) with an affiliated C-1 (Limited Commercial) zoning District would allow the same use as proposed but remain in context with the existing adjoining land use to the south.

- **Site Plan**

The site plan shows a two-story building with an approximate 5,800 square foot building footprint (11,110 gross floor area) nestled at the far eastern end of the property providing a total lot coverage of 19% where 30% is allowed. Parking spaces for 38 cars –with two meeting ADA accessibility standards- are located at the front –or western end- of the property and are accessed from a non-standard 32 foot, 4 inch driveway off of 6th Street.

The applicant states that due to the narrowness of the lot -100 feet- and the requirements for drive access the building must be set back towards the rear of the building. Because of this arrangement, a Variance for Residential Adjacency Setbacks has been requested.

- **Residential Adjacency**

Although the office proposal meets the maximum allowable height for the “O” (Office) zoning District, the project does not meet the required Residential Adjacency Setback Standards. The eastern edge of the building located to the rear of the property show a split elevation with 35 foot and 32 foot parapets. The 32-foot parapet is located 15 feet from a single-family home that sits an additional 3 feet lower than the office grade. This requires that the office be setback 105 feet from the east in order to meet the 3:1 Residential Adjacency slope requirements.

Concerning the risk of privacy, it is important to note that the applicant has provided floorplans and elevations showing windows placed at 6-feet above the second floor. This arrangement should allow light to access the office buildings while making it difficult to have visual access to the neighboring property from the second floor.

A Variance (VAR-20152) has been requested as companion item to this Site Development Review. Because alternative design scenarios would allow possible compliance, staff has recommended denial on both the Site Development Review and the requested Variance.

- **Landscape Plan**

The provided landscape plan shows an inadequate amount of parking lot tree coverage. However, in an effort to provide screening to the residential properties to the east and to compensate for the shortage of parking lot trees, the applicant has provided enhanced landscaping along the northern perimeter. In addition to the abundant landscaping, the proposal shows a small pedestrian plaza located next to the southeast corner of the building that is adequately shaded and provides an inviting space for both office users and customers.

- **Elevations**

The selected materials shown on the elevations are appropriate for the proposed office use and provide some visual interest typical of professional-class office buildings. Stone veneer is shown along the north, south, and west elevations and a variation in red desert tones provide a visual breakup of the façade while remaining respectful of the surrounding residential character of the neighborhood.

A Variance to the Residential Adjacency Setback Standards has been requested as the rear elevations encroach the 3:1 setback slope.

- **Floor Plan**

The four office spaces, split between two floors, are shown on the provided floor plans. Each level contains two office bays arranged on an east-west axis that are divided by a continuous corridor running from the front entrance to an exit located at the rear of the building. Vertical circulation is provided by both an internal and external stairway and a single elevator. The external stairway is located at the rear of the building adjacent to the single-family home to the east.

- **Signage**

The provided site plans and landscape plans show two four-foot high by 12-foot wide monument signs located at the northwest and southwest corners of the property. Each sign is angled toward 6th Street and placed approximately three feet from the northern and southern property lines, respectively. Per Title 19.14.060, one monument sign at a maximum height of 8 feet placed 5 feet from property lines is allowed per street front. Additionally, monument signs have a maximum allowable area of 75 square feet and may not be internally or externally illuminated as there is residential property present within 200 feet.

A condition has been added for revised site plans to be submitted at the time building permits are pulled for signage to show adequate compliance with Title 19.14.060.

FINDINGS

The following findings must be made for an SDR:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed office building use and layout are compatible with the adjacent residential neighborhoods to the east and west. However, due to the building's designed height, a Variance to the Title 19.08 Residential Adjacency Setback Standards has been requested. Therefore, the proposed development is not compatible with the adjacent development in its entirety.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development is inconsistent with the General Plan and Title 19 as proven by the requested Waiver to Title 19.10.010 and Variance from the Title 19.08 Residential Adjacency Setback Requirement.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Site access is from a single 32-foot curb cut off of 6th Street, classified as a Local street in the Master Plan of Streets and Highways. Staff believes that the impact from increased traffic would be minimal if restricted to low-intensity commercial uses such as this professional office.

- 4. Building and landscape materials are appropriate for the area and for the City;**

The applicant has provided a very attractive building with primarily smooth-stucco walls painted different red desert tones complemented with offset facades clad in stone veneer. The street-front windows and main entrance are accented with contemporary metal trellises, painted an iron-red, which provides visual modern contrast to the earth-toned colors of the building.

Abundant landscaping has been provided on the site with a significant assortment of desert-appropriate trees and shrubs placed along the northern perimeter. A small pedestrian plaza has been provided just south of the main entrance and is adequately landscaped so as to provide a shaded area.

- 5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

The proposed 35-foot high (32-foot parapet plus three-foot change in grade) building elevation does not meet the required 105-foot Residential Adjacency Setback as established by the 3:1 slope requirement listed in Title 19.08. Although the applicant has made efforts to mitigate this setback encroachment by providing additional landscape screening, matching residential setback, and six-foot high windows, staff has recommended denial for the Variance (VAR-20152) as it stems from a personally-created hardship. A reduction in the overall building size and alternative design would be able to meet the required setback.

- 6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.**

By conformance to conditions, appropriate measures will be taken to secure and protect the public health, safety and general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 9

SENATE DISTRICT 10

NOTICES MAILED 310 by Planning Department

APPROVALS 0

PROTESTS 1